

REMARKS

Claims 1-13 are pending in the application. Claim 8 has been amended to make a minor grammatical correction. Claims 4 and 5 have been amended to remove the units "mg KOH/g". Claim 7 has been amended to remove the reference "based on the prepolymers."

A Declaration of named inventor Dr. Jörg Tillack is submitted herewith under Rule 1.132.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 4, 5, and 7 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner indicates that the units "mg KOH/g" referring to functionality is confusing in Claims 4 and 5. The particular units have been removed from the claims. Also, in Claim 7, the Examiner indicates that presenting the amount of hydroxyl groups in terms of the prepolymer, which does not have hydroxyl group is confusing. The cited reference has been removed from Claim 7. As the objectionable terms have been removed from the claims, Applicant respectfully requests that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,060,574 to Schmalstieg et al. in view of the ARCO Acclaim Product Bulletin. The Examiner asserts that it would have been obvious to use the polyols described in the product bulletin in the prepolymers disclosed by Schmalstieg in order to obtain better physical properties in coatings. Applicants respectfully traverse this rejection in view of the data provided in the declaration of Dr. Tillack.

As noted in the present application on page 3, lines 9-21, the process of Schmalstieg relies on the use of polyether polyols that are obtainable by alkoxylation of suitable starter molecules. Due to the production process, the resulting polyether polyol product is often basic or acidic, which can have a disadvantageous effect on the reactive system and can result in poor mechanical properties, poor storage

stability and poor compatibility in the reactive system. The inventors have surprisingly discovered that the use of special polyether polyols produced by means of double metal cyanide ("DMC") catalysis overcomes these problems.

As can be seen in the data provided in the Declaration of Dr. Jörg Tillack, use of polyether polyols produced by means of DMC catalysis provides a 50% improvement in the color properties of the resulting blocked polyurethane prepolymers, as compared to the use of the prior art polyether polyols. This result was unexpected, and could not have been predicted based on the teachings of Schmalstieg, alone or in combination with the product bulletin. Schmalstieg does not describe any suitable polyether polyols in the process of that invention other than "polyether polyols prepared in the known manner by the alkoxylation of suitable starter molecules" (col. 3, lines 29-33).

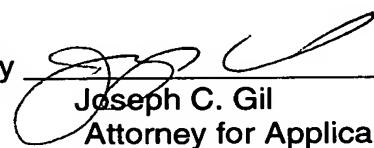
The improvement provided in the present invention also could not have been predicted based on the general description of improved properties provided in the product bulletin. Applicants respectfully submit that the presently claimed invention is not obvious in view of the references cited, and request withdrawal of this basis of rejection.

Summary

Applicants respectfully submit that all pending claims, Claims 1-13, are in condition for Allowance; such action is respectfully requested at an early date.

Respectfully submitted,

By



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